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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,305	03/19/2004	James R. Gustafson	67,010-089; H2751-ED	7335
26096	7590	07/14/2005		
CARLSON, GASKEY & OLDS, P.C. 400 WEST MAPLE ROAD SUITE 350 BIRMINGHAM, MI 48009			EXAMINER LAM, THANH	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/804,305

Applicant(s)

GUSTAFSON ET AL.

Examiner

Thanh Lam

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6 and 10-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-6 and 10-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendment filed 5/31/05 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: " an engine", "a gas engine" "engine oil" as recited in new claims 17-19,23.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,4-6,10-23, are rejected under 35 U.S.C. 102(b) as being anticipated by Arutunoff (US 1,531,724).

Regarding claim 1, Arutunoff (see figs. 1-6) discloses an electric motor assembly, comprising: a fluid circulation circuit; a housing (1)having a cavity (30,31) that is fluidly connected to said fluid circulation circuit; an electric motor having at least one electric motor component (4) disposed in the cavity a thermally conductive fluid for circulation through the cavity to substantially submerge said at least one electric motor component.

Regarding claim 4, Arutunoff discloses the housing further comprises a partition (32) and the electric motor comprises a rotor (5), a stator iron, and a stator winding (18), the partition separating the rotor from the stator iron and the stator winding, wherein a space between an exterior portion of the partition and the housing (1) forms the cavity, and wherein the thermally conductive fluid fills the cavity to substantially submerge at least one of the stator iron and the stator winding without contacting the rotor.

Regarding claim 5, Arutunoff discloses thermally conductive fluid is a dielectric fluid.

Regarding claim 6, Arutunoff discloses the dielectric fluid is a dielectric oil.

Regarding claim 10, Arutunoff discloses the housing has a fluid inlet and a fluid outlet the system further comprises: a fluid pump that circulates the dielectric fluid through the fluid inlet into the cavity and out of the fluid outlet; and a fluid reservoir that houses excess dielectric fluid.

Regarding claim 11, Arutunoff discloses comprising a heat exchanger in communication with the dielectric fluid.

Regarding claim 12, Arutunoff discloses a filter connected upstream of the housing to filter particles from the dielectric fluid.

Regarding claim 13, Arutunoff discloses said at least one electric motor component includes one of a rotor and a rotor bearing (33) substantially submerged in said thermally conductive fluid.

Regarding claim 14, Arutunoff discloses dielectric fluid is in fluid communication with a bearing which supports a rotor shaft.

Regarding claim 15, Arutunoff discloses said at least one electric motor component comprises a rotor rotatable about a rotor axis, said rotor rotatable while substantially submerged in said dielectric fluid to circulate said dielectric fluid through said cavity.

Regarding claim 16, Arutunoff discloses said fluid circulation circuit includes a portion that is outside of said housing.

Regarding claims 17-19, the are new subject matter.

Regarding claims 20-23, the method therein is given by the apparatus of Arutunoff.

Conclusion


4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (571) 272-2026. The examiner can normally be reached on t-f 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E. Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Thanh Lam
Primary Examiner
Art Unit 2834
